

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF PLATTSBURGH, NEW YORK**

January 30, 2014

**5:40 P.M.**

**MINUTES**

**Present:** Mayor James Calnon, Councilors Rachelle Armstrong (W1), Mike Kelly (W2), Dale Dowdle (W3), Paul O'Connell (W4), Becky Kasper (W5), Joshua Kretser (W6)

**Absent:** None

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**1. MINUTES OF THE PREVIOUS MEETING:**

**RESOLVED:** That the Minutes of the regular meeting of the Common Council held on January 16, 2014 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Kasper; Seconded by Councilor Kelly

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

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**2. PAYROLLS OF VARIOUS DEPARTMENTS:**

**RESOLVED:** That the payrolls of the various Departments of the City of Plattsburgh for the weeks ending January 22, 2014 in the amount of \$ 254,843.93 and January 29, 2014 in the amount of \$ 263,848.49 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Armstrong; Seconded by Councilor Dowdle

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

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**3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:**

- Report of Fire and Ambulance Responses for the weeks of January 16 – January 29, 2014
- Report from the Building Inspector's January 28, 2014
- Report of Public Hearing held by the Zoning Board of Appeals on January 21, 2014
- Report of the Work Session of the Common Council held on January 23, 2014

**RESOLVED:** That the reports as listed are hereby ordered received and placed on file among the public records of the City Clerk's Office.

By Councilor O'Connell; Seconded by Councilor Kretser

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

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**4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None**

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**5. AUDIT OF CLAIMS:**

**RESOLVED:** That the bills Audited by the Common Council for the weeks ending January 22, 2014 in the amount of \$ 1,177,003.73 and January 29,2014 in the amount of \$946,505.61 are authorized and allowed and the Mayor and City Clerk are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Kasper; Seconded by Councilor Armstrong  
Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)

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**6. PERSONS ADDRESSING COUNCIL:**

**Ashley Cousins** 214 Champlain Drive spoke about the Max Moore Memorial Tree House (submitted an overview to the council). Gave history to the new Council, spoke about this year's fund raising events and they have raised \$25,000 so far.

**Mayor Calnon** said this is very good news. One of the things I've been trying to do is call some attention to particular activities that I think are worthy of support and kind of use the bully pulpit that we have here to encourage people to donate. I'd like to put my money where my mouth is so here is a check for \$500 for the project.

**Ashley Cousins** 214 Champlain Drive said thank you so much we really appreciate it and every bit helps.

**Anita Bodrogi** 63 Cumberland Avenue said I would just like to support the Ad Hoc committee's position on the NavManagement.marina development project. I've been watching it for a while and been hoping to see a sort of slowdown in the movement forward and I think the committee's recommendation fits with that goal.

**Councilor Armstrong** asked what do you mean Ad Hoc committee?

**Anita Bodrogi** 63 Cumberland Avenue said the committee that has decided to support the NavManagement vs...., is that correct?

**Councilor Armstrong** said yeah, restate what you are asking.

**Anita Bodrogi** 63 Cumberland Avenue said it's just sort of to support that choice. It looks like that is what's going to happen today is that correct?

**Councilor Armstrong** said yeah.

**Anita Bodrogi** 63 Cumberland Avenue said so I'm hoping that would be the choice. I've been getting petitions for the last 6 months from people who have been feeling like they want to sort of slow down on this project and make sure it goes forward in a comprehensive way not a piece meal way. That the development

of that city marina and that land is part of a bigger vision for what's going to happen kind of from the city beach all the way down to sailor's beach. You know like what does that whole thing look like. So if that work with NavManagement can start now and start to move forward but keep that bigger vision in mind I think that would be in line with what the people who signed the petition to say slow down are feeling at that's sort of my opinion. Hopefully it goes well and thank you for all your hard work on that.

**Andy Sajor** 41 Trafalgar Drive said just a brief thank you to the Mayor and the city's hospitality. We held the International DN ice boat championships last weekend here. From what everyone is telling us. Lake Champlain is the Holy Grail of ice boating. People have come from all over the northeast we hope the Skeeter Association will be coming in this weekend if the weather holds. And the skeeters are the big boys of ice boating they'll do over 100 mph out on the lake. And we're going to have the DN's back just the eastern championships we sailed out of dock street which was a phenomenal place. The parking was perfect, the privacy and the ability to leave people's boats set up and not be disturbed or molested. Everybody had a great time and we just wanted to thank you for that.

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**7. OTHER ITEMS:**

**RESOLUTION – SELECTION OF PLATTSBURGH CITY MARINA DEVELOPER-OPERATOR; AUTHORIZATION FOR INTERIM OPERATING AGREEMENT**

**Whereas**, on December 13, 2013 the City published public notice of a Request for Proposals from persons interested in developing and operating a City owned marina at the easterly end of Dock Street and leasing a City building at such location; and

**Whereas**, on or before January 8, 2014, proposals were received from two parties: NAV MARINE MANAGEMENT (INCORPORATED) and PLATTSBURGH BOAT BASIN INC.; and

**Whereas**, the responses to the RFP were reviewed and evaluated on January 13, 2014 by an ad hoc committee composed of three members of the Common Council, three City department heads and two private citizens; and

**Whereas**, the committee has submitted an evaluation report to the Common Council dated January 15, 2014, which has been reviewed and considered by the Common Council; and

**Whereas**, in view of the time required to specify and bid equipment purchases and building improvements, it may not be possible to fully develop the Plattsburgh City Marina (primarily building improvements) for the 2014 boating season, however, it appears to be possible to develop and operate part of the facility (primarily moorings and some docks) in 2014; and

**Whereas**, the Common Council wishes to move forward with the development of a Plattsburgh City Marina in 2014, now therefore it is

**SPECIFY IF MOTION IS FOR A OR B**

**A. RESOLVED:** That the proposal of NAV MARINE MANAGEMENT (INCORPORATED) is accepted for the reasons set forth in the ad hoc committee report dated January 15, 2014 which are incorporated by reference and a copy of said report is made a part of this resolution and the minutes of this meeting.

**B. RESOLVED:** That the proposal of PLATTSBURGH BOAT BASIN INC. (PBB) is accepted for the following reasons:

1. PBB offers the greatest financial return to the City.
2. PBB has more trained personnel and equipment to meet the operational needs of a marina facility.
3. Possible conflicting interests between the City and PBB, as noted in the committee report, can be addressed in the operating agreement between the parties.

**C. FURTHER RESOLVED:** The Mayor is authorized to sign an “**Interim Operating Agreement**” with the chosen Plattsburgh City Marina Developer-Operator which incorporates the following terms and such other terms as he and the corporation counsel deem advisable, provided that, a material change in the following terms shall require prior Common Council approval and a committee of the Council composed of three councilors appointed by the Mayor may determine whether a change is material.

1. The purpose or intent of the Interim Operating Agreement is to provide assurances to the chosen developer-operator that the City of Plattsburgh will in good faith negotiate and enter into a 15 year Operating Agreement which includes the terms of the RFP and the response to the RFP, provided that, the economic terms and project improvements of the final Operating Agreement will be determined upon specifications and receipt of bids for equipment and property improvements and will be subject to final Common Council approval which will not be unreasonably withheld.
2. Upon the receipt of required permits and the installation of moorings and docks by the chosen developer-operator and the receipt of insurance certificates with coverages the City deems sufficient to protect its interests, the City will permit such moorings and dock space to be leased by the operator at market rates taking into consideration the facilities provided.
3. Preference in leasing boat mooring and docking space shall be given to boat owners who charter or lease boats for short term use by the public.
4. The operator shall provide portable bathroom facilities for marina and park users and provide trash receptacles and collection services for marina customers.
5. The City will adopt parking regulations for the parking area adjacent to the marina which the operator may be required to enforce.
6. The operator shall maintain books and records for all income and expenses incurred in developing and operating the marina which shall be made available to the City for inspection or audit.
7. During the interim operating period, the operator will pay the City 15% of gross revenue from Mooring and Dock space rental.

8. If the developer operator purchases docks, moorings, necessary equipment or makes capital improvements to the City's real property, such costs will be documented with cancelled checks or receipts and the cost thereof shall be amortized, with interest at the rate paid on city bonds plus 2%, over the estimated useful life or 15 years, whichever is less. These costs are referred to herein as "Development Investment Cost".
9. If the interim operator and City are unable to reach agreement on the terms of a Final Operating Agreement, the City shall purchase the interim operator's unamortized Development Investment Cost by making payments in quarterly installments over the remaining amortization period, provided however, that the terms of such purchase are subject to Common Council approval.
10. The interim operating agreement shall include a schedule for completing all improvements so that the City marina is fully improved and operational for the 2015 boating season.

**Motion A** made By Councilor Dowdle; Seconded by Councilor Kelly  
Discussion:

**Councilor Kasper** expressed her appreciation and gratitude to Plattsburgh Boat Basin and NavMarine for their efforts in putting together proposals to develop the waterfront. Which is something that is past due and we really do need it. She is disappointed in both resolutions because of the 15 year lease. She thinks 15 years is a long time for the city to be captured by that kind of an arrangement. She would like to involve the community in a frank and open discussion on what the city needs.

**Councilor Armstrong** filed the minority report attached to the agenda. She reiterates her appreciation for both proposals which were very professionally done. She also has reservations about the advisability of a 15 year lease. The investment side of it being understood. Feels there's too many conditions that maybe need to be examined in public. with a lot of public input that would facilitate a much broader and better vision.

**Councilor O'Connell** for the record it's not Navtours its NavMarine which raises a lot of questions. It was developed and established in 2013 which is very recent. He is also concerned about a 15 year lease. But also is concerned about the effort both of these establishments have put in to it. And thinks they deserve something soon. Thinks the person from the local area should take it. If you look at the figures \$17,000 from NavMarine and a minimum of \$46,000 from Plattsburgh Boat Basin in 15 years that amounts to a lot of money. He feels something needs to be done this year and not put it off. Maybe a temporary thing that's maybe the avenue we should go.

**Corporation Counsel John Clute** explained in the first year it would be a limited operation; mooring primarily maybe some docks. This interim agreement isn't something that is ready to sign. We realize if it gets to that point there's going to have to be discussion with whomever the selected operator is to refine the terms. And if there is a material change in it, it's going to have to come back to the Council. If someone is making a significant investment they have to have the confidence that this deal is going to go forward. And when you get to the next stage and you're talking about a building that is severely deteriorated. Potentially due to the size of this investment to develop this property the way we would like to see it developed so thus the 15 years. 15 years is the feasible

payback period.

**Councilor O'Connell** wanted clarification about the resolution and voting on A or B etc. He further spoke about the 2 proposals and the grant that has been applied for but not awarded, etc.

**Mayor Calnon** spoke about the process of voting on this resolution. Motion A or Motion B, etc. and further information on the marina.

**Councilor Kretser** feels everyone is in agreement that something needs to be done at the waterfront. Thinks the entire conceptualization and plan of this project was done very exclusively just in the city. Thinks there was very little talk with anyone from the Chamber of Commerce or the Development Corporation or the Town of Plattsburgh or any other outside entities that would have use of the space and would want to be able to utilize it. We need to start a trend of trying to be inclusive with our neighbors and experts and people who have done a lot of research for us. He thinks a better plan could be developed and they should put forward sometime in the near future.

**Councilor Dowdle** we've been after water front development for 10 years. We just spoke about the grant we were the only applicant and the grant was in the City of Plattsburgh's name only. Are we assured that we are going to receive it, no, but we were the only applicant. He knows there's a concern of how it's going to serve all of its residents. It's not going to serve all of its residents. The Saranac River Trail does not serve all of its residents; the city beach does not serve all of its residents. Maybe the revenue part will if you trickle it back thru taxes. But will never probably have anything that serves all of its residents. The 15 year lease and how it will affect fishing tournaments were concerns but feels satisfied with the information received.

**Councilor Armstrong** asked about the building on the RFP's. So that part is completely out of the picture now?

**Mayor Calnon** not the way he understands. It's not something that was specified in the RFP that way. We have a moral obligation we put out the request for proposals with the belief that the building could be renovated that we knew that a certain level of renovations was necessary. If we find that the damage is worse than that then it would be our responsibility to make up the difference. We've asked to have the building inspected by a hazardous materials expert and don't have that report yet. If we award a request for proposal and the condition of the building is worse than originally proposed than we would be responsible for the difference.

**Councilor Armstrong** spoke more about the building and that's a questionable part of the RFP does that need to be settled before.

**Mayor Calnon** no because the building was at its current condition, location and level when the proposals were submitted. Both proposals made reference to it.

**Councilor Kelly** has heard a lot of good ideas from citizens about the marina and unfortunately none of those ideas are in either proposal so he can't get behind either proposal.

**Councilor O'Connell** hopes if we do choose somebody and we do make that new agreement that

what we are going to do with the building will be involved in that and what we are going to do to accommodate the fishing tournaments.

**Councilor Dowdle** asked John Clute where we were at with the OGS requirements for property owners along the shoreline, are we at that point yet?

**Corporation Counsel John Clute** explained that the permit applications have been filed. The Army Corp of Engineers sent out a notice to everybody within 1500 feet on the shore line asking for comments on the permit itself.

**Mayor Calnon** added his comments. Echoing what Paul said about fishing tournaments. Not only do we have a great moral obligation we actually have a legal obligation. I signed some documents guaranteeing we are going to support our fishing tournaments this year. And we really do need to be sure that continues to happen those are very valuable to the community in a number of ways. I think that's an important consideration.

**Councilor Armstrong** is it possible to revisit the terms of the 15 lease agreement if we decide one way or the other?

**Corporation Counsel John Clute** if we move on to the point where we are going to talk about an interim agreement and if we have a better sense of what somebody might be expected to invest in this thing perhaps in the discussion of that agreement we could see where we are going with this 15. He further discussed that because this is a city marina you are subject to public bidding requirements. [He further discussed the proposals and the marina]. Feels this is the only sensible use for this piece of property. The key is to make sure it's done at the highest possible quality.

**Councilor O'Connell** the \$100,000 city grant whoever gets this would be able to use it?

**Mayor Calnon** said yes.

**Councilor Dowdle** asked who will own the original documents when this is all said and done. I mean AES Northeast did the...

**Corporation Counsel John Clute** we didn't pay for those they aren't ours.

**Councilor Dowdle** should they be ours?

**Corporation Counsel John Clute** yes you can have them if you want to pay for them. They cost \$20,000.

**Councilor Dowdle** we will never have possession of those unless we ask to buy them?

**Corporation Counsel John Clute** yes.

**Mayor Calnon** said the questions is **Motion A: RESOLVED:** That the proposal of NAV MARINE MANAGEMENT (INCORPORATED) is accepted for the reasons set forth in the ad hoc committee

report dated January 15, 2014 which are incorporated by reference and a copy of said report is made a part of this resolution and the minutes of this meeting.

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(Councilors Armstrong, Kelly, O'Connell, Kasper and Kretser voted in the negative. Councilor Dowdle voted in the affirmative)

**ACTION TAKEN:** Defeated

Follow up Action: None

**Motion B: RESOLVED:** That the proposal of PLATTSBURGH BOAT BASIN INC. (PBB) is accepted for the following reasons:

4. PBB offers the greatest financial return to the City.
5. PBB has more trained personnel and equipment to meet the operational needs of a marina facility.
6. Possible conflicting interests between the City and PBB, as noted in the committee report, can be addressed in the operating agreement between the parties.

**Motion B:** By Councilor O'Connell; Seconded by Councilor Kasper  
Discussion:

**Councilor Kelly** said he liked the Plattsburgh Boat Basin's proposal because they are a local successful company born and bred here in Plattsburgh as far as he knows that wants to grow and wants to succeed. He admires that and supports that effort. But if they're right next door to their existing business then they're competing with themselves and that just doesn't make sense from a business stand point. He can't really support this proposal either.

**Mayor Calnon** added just to be sure everyone is clear. NavMarine Management which as noted earlier is not Navtours is 80% locally owned.

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(Councilors Armstrong, Kelly, Dowdle, Kasper and Kretser voted in the negative. Councilor O'Connell voted in the affirmative)

**ACTION TAKEN:** Defeated

Follow up Action: None

**Mayor Calnon** said this may terminate the procurement or this may not. There may be a way to revise so we don't end up wasting all the time and effort that are out there. If we are going to discuss alternatives that are going to have any impact on this year we are going to have to do so fairly quickly. The other issue that we included in the RFP was acting on our behalf in filing for the various approvals and doing the necessary environmental review work etc. That NavMarine Management did incur some direct financial gain which was to be repaid by whomever received the bid. If we don't make an award I believe it would be incumbent on us to make that payment to parties that upfronted the money for us. Since we are the grant recipient if it is awarded. We will be the recipients of the permissions if they are so granted. They are all done on our behalf.



**Councilor O'Connell** asked how further can we move on a temporary thing.

**Mayor Calnon** said the issue is we don't have a provider to discuss anything interim with. I would suggest the Council at the next work session is outline a process that will result in a decision as soon as we possibly can reach one.

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**D. RESOLUTION ABANDONING SECTION OF FORMER CITY STREET KNOWN AS NEVADA OVAL WEST**

**Whereas**, on July 29, 2004 the Planning Board of the City of Plattsburgh approved the Lake Forest/Pine Harbour Subdivision 2004 of Lots A, B, C, D, E, which approval included the proposed transfer of a section of a street known as Nevada Oval West to the adjoining land owners; and

**Whereas**, the owner of subdivision lot E, Community Providers Inc., has entered into a contract to sell lot E subject to the transfer of the City of Plattsburgh's right, title and interest in that section of Nevada Oval West that crosses subdivision lot E.; and

**Whereas**, Pursuant to City Code § 241-7, the City of Plattsburgh has published notice of its intent to consider the abandonment request and has given notice to the adjoining owner, Community Providers Inc.; now therefore, it is

**RESOLVED:** That the Common Council of the City of Plattsburgh finds:

1. The street, alley, or right of way provides access only to a single lot or parcel of land;
2. The street, alley, or right of way has not been used by the public for vehicular or pedestrian access to a public street or other public property for six or more consecutive years.
3. The City Engineer advises, and the Common Council concurs and finds, that such street, alley, or right of way is not likely to be needed for a public purpose, including access, now or at any time in the foreseeable future; further

**RESOLVED:** that the City of Plattsburgh hereby abandon's all right title and interest in and to that section of Nevada Oval West that crosses subdivision lot E, subject to the following condition: that the deed or other instrument conveying the City's interest in said property contain a right of reverter that provides in substance that if said parcel of land should apply for and receive an exemption from real property taxes, except such exemptions as are available to owner occupants of single family homes, title to said property shall revert to the City of Plattsburgh; further

**RESOLVED:** the corporation counsel shall determine the form and language of the conveyance to accomplish the intent of this resolution; further

**RESOLVED:** the person to whom said parcel of land is conveyed shall pay all costs incurred by the City in making such conveyance.

By Councilor Armstrong; Seconded by Councilor Kretser

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**E. RESOLVED:** In accordance with the request therefore the Common Council approves continuing the contract with ELMORE SPCA for animal shelter services for 2014 for the total cost of \$10,868 and there is no increase in cost from 2013

By Councilor Kasper; Seconded by Councilor Dowdle

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**F. RESOLVED:** In accordance with the request therefore the Common Council approves continuing the contract with James Burgess as the Nuisance Animal Control Officer for 2014 for the total cost of \$25,000 and there is no increase in cost from 2013.

By Councilor Kretser; Seconded by Councilor O'Connell

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**G. RESOLVED:** In accordance with the request therefore the Common Council approves continuing the agreement with Ron Santor as the 2014 Basic Academy Director for the total cost of \$15,000 and there is no increase in cost from 2013.

By Councilor Kasper; Seconded by Councilor Armstrong

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**H. THE MAYOR HANDS DOWN THE APPOINTMENT OF CITY HISTORIAN TO JOHN KRUEGER EFFECTIVE FEBRUARY 1, 2014 TO JANUARY 31, 2017.**

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

**Follow up Action:** None

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**I. THE MAYOR HANDS DOWN THE APPOINTMENT OF KERI MACK TO THE LIBRARY BOARD FOR THE TERM OF JANUARY 31, 2014 TO JUNE 30, 2017.**

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

**Follow up Action:** None

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**J. THE MAYOR HANDS DOWN THE APPOINTMENT OF MARK TIFFER TO THE PLANNING BOARD FOR A TERM EXPIRING JANUARY 31, 2016.**

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

**Follow up Action:** None

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**K. THE MAYOR HANDS DOWN THE APPOINTMENT OF GERALD HOFMAISTER TO THE PLANNING BOARD FOR A TERM EXPIRING JANUARY 31, 2021.**

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

**Follow up Action:** None

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**L. RESOLVED:** In accordance with the request therefore the Common Council approves the Municipal Lighting Department be permitted to proceed with the write-off of unpaid final bills for the period October 1, 2012 to October 31, 2012 in the amount of \$2,276.35. The percentage of write-offs for this period is .24%.

By Councilor Kelly; Seconded by Councilor Armstrong

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

**ACTION TAKEN:** Adopted

**Follow up Action:** None

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**M. RESOLVED:** In accordance with the request therefore the Common Council approves a proposal from B&L for "Akey Landfill Post Closure Monitoring" be approved for a total lump sum of \$33,200.

By Councilor Armstrong; Seconded by Councilor Dowdle

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**N. RESOLVED:** In accordance with the request therefore the Common Council approves Contract # 2013-21 "15% Sodium Hypochlorite – Trade Solution for the Water Pollution Control Plant & Water Filtration Plant" be awarded to Surpass Chemical Company, Inc. for an estimated total price of \$95,760.

By Councilor Kasper; Seconded by Councilor Kretser

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**O. RESOLVED:** In accordance with the request therefore the Common Council approves Contract # 2013-22 "30% Sodium Thiosulfate for the Water Pollution Control Plant" be awarded to Thatcher Company of NY for an estimated total price of \$71,189.90.

By Councilor Armstrong; Seconded by Councilor Kretser

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**P. RESOLVED:** In accordance with the request therefore the Common Council approves Contract # 2013-23 "Liquid Alum for the Water Pollution Control Plant" be awarded to Slack Chemical Company for an estimated total price of \$15,378.44.

By Councilor Kelly; Seconded by Councilor Dowdle

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**Q. RESOLVED:** In accordance with the request therefore the Common Council approves Contract #2014-02 "Soil Borings for Underground Projects" be awarded to Atlantic Testing for the lump sum price of \$5,830.

By Councilor Kretser; Seconded by Councilor O'Connell

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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**R. RESOLVED:** In accordance with the request therefore the Common Council approves the City Chamberlain to pay the \$1,000 supplemental pay or stipend to each City manager provided for in the 2014 adopted budget.

By Councilor Armstrong; Seconded by Councilor Kretser

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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## 8. TRAVEL REQUEST:

**A. RESOLVED:** In accordance with the request therefore the Common Council approves one Police Officer to attend the "TASER X26/X26P & X2 Instructor Course" in South Burlington, VT from February 12-13, 2014 and the cost will not exceed \$442 and will be expensed to the Asset Seizure Fund, training expenses.

By Councilor Kasper; Seconded by Councilor O'Connell

Discussion: None

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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## 9. ORDINANCES:

**A.** Section 257-12B of the City Code is amended to adopt the following fee schedule for water meters:

Water meter size	Fee to furnish, install & maintain*			
5/8"	1 <sup>st</sup>	\$320	2 <sup>nd</sup>	\$370
3/4"	1 <sup>st</sup>	\$350	2 <sup>nd</sup>	\$400
1"	1 <sup>st</sup>	\$490	2 <sup>nd</sup>	\$540
1 1/2"	1 <sup>st</sup>	\$640	2 <sup>nd</sup>	\$690
2"	1 <sup>st</sup>	\$815	2 <sup>nd</sup>	\$865

\*The cost of furnishing an Encoded Receiver Transmitter (ERT) or other remote reading device for each meter is included in the fee, but not the cost of installation which is at the owner's expense.

**RESOLVED:** That this ordinance shall take effect immediately upon approval by the Mayor and publication of the ordinance, or a summary thereof, one time in the official newspaper of the City of Plattsburgh.

By Councilor Kretser; Seconded by Councilor Kelly  
Discussion:

**Councilor Kelly** what water meter size goes in to the typical single family residence?

**Department of Public Works Superintendent** said 5/8 or 3/4.

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)

**ACTION TAKEN:** Adopted

Follow up Action: None

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## 10. RESOLUTIONS FOR INITIAL CONSIDERATION:

**Councilor O'Connell** would like to research city payroll biweekly instead of weekly.

**Mayor Calnon** one of the reasons we did not do it earlier was because we didn't have the approval of all of our labor unions. He believes that is the case now and had a meeting this morning to discuss the process of getting to a biweekly payroll. We have charged the Chamberlain with taking a hard look at and get back to us with a plan to get there.

\*\*\*\*\*

## 11. NEW BUSINESS:

**Councilor O'Connell** thanked Bill Treacy and MLD he sent them an email he saw street lights were out and sent him an email and they were fixed the next day. Read an email from Ben Wright thanking the DPW crews for clearing a street in the French quarter.

**Councilor Kretser** said this is John Clute's last official meeting. Thanked him for his years of service to the city and he helped the city through some difficult times and he appreciated it very much.

**Corporation Counsel John Clute** said it has been very rewarding professionally and personally. He has worked for 4 or 5 different Mayors and several different councilors many of whom he is still in touch with as friends and clients. The work itself and he thinks it's the reason you all have run for office. This notion of public service that is a very real thing if you can do something perhaps improves the quality of decisions that are made. It's a contribution you can make that affects a lot of people's lives and I think that's why we all do it. It's been a good ride and I've enjoyed it. I wish you guys all the best in the next 3 years.

**Mayor Calnon** thanked John very much. He has been Mayor for only 1 month with John as the Corporation Counsel since I was in the Mayor Pro Tem position for 6 years we've had an awful lot of interactions. It will be a very strange day February 1<sup>st</sup> wondering where am I going to get my good advice from and not just legal advice. John's very good at giving advice on every topic. You'll be missed and I know you are going to travel a bit and I want you to have a good time.

**Corporation Counsel John Clute** said even though I am going to be leaving city government in an official capacity I know there a lot of people who have volunteered a lot of time to this city. I'll be around and I'll always have an interest in the future and the well-being of the City of Plattsburgh. I'm certainly going to find the time to make some contributions on a volunteer basis to whatever projects we have going on.

**Councilor Kelly** said Rachelle Armstrong and I are conducting our first community forum on February 3<sup>rd</sup> at Momot Elementary school at 7pm. Any of you are welcome to attend but we are going to primarily focus on the concerns of the citizens of our 2 Wards. The other piece of good news is the Town of Plattsburgh has finally resolved their election woes and 2 candidates as he understands it have been elected. One was elected and one was selected. Michael Cashman will be on the town board in the Town of Plattsburgh and Paul Lamoy will most likely be appointed to the town board. They are both really excited about working closely with the city.

**Mayor Calnon** said he had an offer from the US Conference of Mayors connecting us to an outfit that would help produce a number of 1 minute videos that are designed to go on relocate.org which is an interesting site to go to. And because it's sponsored by the Conference of Mayors there's no cost to us. My first action was to send it to Bernie Bassett and say I know it's from the Conference of Mayors but let's not have it say city or town let's both of us do it and make it just "Plattsburgh." I think that's important. We are setting up the meeting with Bernie and Kristy from the Chamber.

**Councilor Kelly** said if we decide to do some work in that direction I'd like to volunteer.

\*\*\*\*\*

## **12. CLOSING PUBLIC COMMENTS: None**

Motion to Adjourn by Councilor Armstrong; Seconded by Councilor Dowdle  
Roll call Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser  
(All voted in the affirmative)

**MEETING ADJOURNED: 6:56pm**

## PLATTSBURGH CITY MARINA EVALUATION OF RESPONSES TO RFP

January 15, 2014

to: Common Council of the City of Plattsburgh

from: RFP evaluation committee consisting of: City Staff: Clute, Farrington, Peters; City Elected officials: Calnon, Kretser, Armstrong; Citizens: Perry, Sajor

The above committee met on January 13, 2014 to review, discuss and evaluate proposals from Navtours and Plattsburgh Boat Basin.

The RFP that was circulated in 2013 identified the following City objectives::

- To maximize public use and enjoyment of the waterfront.
- To promote the marina, the city and the region.
- To make waterfront improvements that are safe, attractive and of the highest possible quality.
- To establish and operate the facility at no cost to the general fund.
- To provide a high level of maintenance and customer service.

The RFP stated that the Proposal the City determines is most likely to achieve City objectives will be selected.

There follows a summary of the committee consensus on the proposals. Some committee members made other points in discussion and written comments. This summary does not include some of those comments, but the omission is not a judgment on the value of the comment. This matter is on the agenda January 16<sup>th</sup>. Points that are missed in this summary should be brought out in discussion.

### QUALIFICATIONS.

Both companies were judged qualified to develop and operate a marina and related facilities. Both companies (or their parent corporations) have experience in managing water recreation businesses. PBB has more experience and equipment in the operation of the physical components of a marina business. Navtours has more experience in marketing and customer relations. The City marina will not offer boat launching, storage, fueling or boat repairs, therefore, experience and equipment in providing such services is not necessary. Both companies appear to be capable of meeting financial requirements. The financial requirements and resources for the project will be explored in depth when bids are obtained and an operating agreement is prepared.

### THE RFP EVALUATION CRITERIA

*A. To maximize public use and enjoyment of the waterfront.*



- Three factors:
  - accommodate transient boaters
  - provide water recreation opportunities not presently available
  - provide ancillary land based recreation facilities and service
- The Navtours proposal:
  - identifies dedicated transient boat slips and moorings
  - accommodates and markets vessels for charter by the public for daily or longer use
  - identifies other recreation concessions and potential operators for small water craft rental, bicycle rental, fishing charters, sailing instruction programs.
- The PBB proposal:
  - Does not address transient boaters specifically. The PBB marina website includes no information on transient boat accommodations.
  - indicates a willingness to attempt to attract vendors for small boat and bicycle rentals
- Both proposals recognize the city's desire to accommodate fishing tournaments. PBB proposes a separate dock for such events. Navtours believes tournaments can be accommodated by temporarily relocating 22 boats under its control. R Perry, former city employee and tournament coordinator, expressed the view that an increase in docks and moorings will make the waterfront less accessible for tournament participants, but in conjunction with Wilcox Dock should be manageable. Neither concept for accommodating tournaments had a clear advantage.

*COMMITTEE CONSENSUS: NAVTOURS PROPOSAL OFFERS A BROADER RANGE OF PUBLIC RECREATION SERVICES AND FACILITIES. NAVTOURS CORE BUSINESS (SAILBOAT CHARTERS) PROVIDES AN INCENTIVE TO DEVELOP SUCH SERVICES FOR ITS CUSTOMERS AND THE PUBLIC. PBB'S CORE BUSINESS (SEASONAL SLIP AND MOORING RENTALS) DOES NOT BENEFIT FROM SUCH ANCILLARY AND marginally PROFITABLE SERVICES AND IT SEEMS THERE IS LITTLE ENTHUSIASM FOR PROVIDING THEM.*

*B. To promote the marina, the city and the region.*

- Navtours has a broad and sophisticated marketing plan that encompasses boat show promotions, television, direct mail, social media marketing, a current and attractive website.
- Navtours core business makes it necessary to market Plattsburgh and Lake Champlain as a sailing destination. Its marketing plan ties into the Chamber of Commerce Adirondack Coast promotion.
- Some Navtours customers return each year, but most are first time visitors which benefits Plattsburgh and the region.
- PBB has a strong demand for boat space and does little to market its business. Its website is dated and uninformative. It is not bi lingual which is surprising given its customer base. Historically it has provided little information to its customers about what Plattsburgh or the region has to offer and there is no reason to believe this will change.

*COMMITTEE CONSENSUS: NAVTOURS HAS A MUCH SUPERIOR MARKETING PLAN AND THAT ATTRACTING NEW VISITORS TO PLATTSBURGH AND THE REGION IS A VERY IMPORTANT OBJECTIVE IN ESTABLISHING A CITY MARINA.*

*C. To make waterfront improvements that are safe, attractive and of the highest possible quality*

Plattsburgh City Marina will be a city owned facility. Since the City will have potential liability, it is important that the moorings and docks be designed and constructed in accordance with accepted design standards.

## **DOCKS AND MOORINGS**

- Navtours proposes manufactured mooring components and dock construction and spacing specifications prepared by design professionals.
- PBB does not describe the proposed mooring system. We understand the mooring system consists of a concrete block, steel chain and mooring buoy.
- PBB offers dock construction alternatives; constructed in house or manufactured.
- Navtours' proposal includes an engineer designed a mooring plan. Navtours has filed state and federal permit applications for moorings and docks.
- PBB does not present a mooring plan, but PBB's current moorings do not appear to follow a discernible pattern. To the best of our knowledge, PBB does not have mooring permits from NYS or the US Army Corps for its present mooring field.

*COMMITTEE CONSENSUS: NAVTOURS' PROPOSAL PROVIDES GREATER ASSURANCE THAT THE BOAT MOORING AND DOCKING FACILITIES WILL BE CONSTRUCTED AND SPACED TO MINIMIZE THE RISK OF DAMAGE OR INJURY TO PROPERTY AND PERSONS. THE EXISTING PBB MARINA FACILITIES INCLUDE THE USE OF BARRELS AS FLOTATION DEVICES TO SAVE MONEY, DOCKS ARE CLOSELY SPACED AND FAIRWAYS ARE NARROW; THE EQUIPMENT AND LAYOUT PLACES A HIGHER PRIORITY ON PROFIT THAN CUSTOMER SAFETY AND CONVENIENCE.*

## **BUILDING**

The tour boat building requires major repairs and some interior use alterations to make it usable and functional. Both parties propose similar uses: food service, bathrooms, showers and laundry for boaters, office space.

- Navtours proposes substantially revising the building floor plan, changing window and door openings and renovations to the building exterior.
- It also proposes space for a **Waterfront Welcome Center**.
- Navtours presents engineer designed plans and estimates building improvement costs at 150k.
- PBB keeps the basic floor plan and makes minimal exterior changes except for construction of an outdoor dining pavilion. PBB does not provide an improvement cost estimate.
- The building improvements will have to be competitively bid and are subject to prevailing wage requirements.

**COMMITTEE CONSENSUS: ALTHOUGH THE COST OF THE TWO PROPOSALS CANNOT BE ESTIMATED WITH ACCURACY UNTIL THE WORK IS BID, NAVTOURS PROPOSES MORE EXTENSIVE RENOVATIONS, PARTICULARLY TO THE BUILDING FENESTRATION AND EXTERIOR WHICH IS THE PUBLIC FACE OF THE PROPERTY. NAVTOURS HAS DEMONSTRATED ITS WILLINGNESS AND ABILITY TO WORK WITH GOVERNMENT REGULATIONS AS EVIDENCED BY ITS MOORING AND DOCKING APPLICATION TO STATE AND FEDERAL AGENCIES WHICH WAS PREPARED WITH MINIMAL CITY ASSISTANCE. THE BUILDING IMPROVEMENTS AND EQUIPMENT PURCHASES WILL REQUIRE COMPLIANCE WITH STATE LAWS ON COMPETITIVE BIDDING AND PREVAILING WAGES AND THE RESPONSIBILITY FOR MEETING THESE REQUIREMENTS WILL REST PRIMARILY WITH THE DEVELOPER. NAVTOURS IS MORE LIKELY TO BE RESPONSIBLE IN MEETING THESE REQUIREMENTS.**

***D. To establish and operate the facility at no cost to the general fund.***

- Both Navtours and PBB propose to pay all capital and operating costs.
- Respondents were asked to make a financial offer as percentage of gross revenue.
- PBB offers to pay 15-25% of gross revenue.
- Navtours offers to pay 10% of gross revenue.
- PBB is offering substantially more money, however, the offer has to be evaluated in the context of:
  - the cost and quality of the equipment and building improvements
  - the number of transient spaces which have a much less certain income stream
  - the level of staffing and services to customers and the public

**COMMITTEE CONSENSUS: PBB'S OFFER IS FINANCIALLY MORE ADVANTAGEOUS TO THE CITY.**

***E. To provide a high level of maintenance and customer service***

A prime objective of the Plattsburgh City Marina is to have a facility that will attract visitors and cause them to return. A high level of maintenance and customer service is essential for this to occur. There is no objective basis for measuring what both parties offer, much less how they will perform. An assessment of this factor requires judgment based in part on past experience, impressions and a sense of what motivates a party.

- Navtours core business is chartering sailboats. The success of this business requires a very high level of customer satisfaction and a well maintained facility.
- Most marina customer's first language is French. Navtours' principals speak French and it is reasonable to assume its service staff will. Navtours proposal includes a staffing plan.
- PBB's core business is renting slips and moorings, moving docks and boats and marine repairs. It has operated successfully for several years, but this type of business does not require a high level of customer service.
- PBB does not include a staffing plan in this proposal (there was a plan in the previous RFP response, but it may be outdated). PBB's marina staff will presumably supplement City

marina staff, but the extent to which it will rely on help next door is not known. PBB's financial offer probably reflects lower staffing costs.

- The PBB marina raises a concern about sensitivity to customer needs and a conflict between city interests and PBB interests. PBB does not provide adequate and convenient on site parking for its customers. Customer parking spaces are occupied by boats stored year round. PBB has located moorings in the city offshore area and stored boats that encroach on city property. The City has not objected, but permission was never requested.
- The city marina operator will be required to assist with enforcing parking regulations to assure convenient space is available for park goers. This will cause a conflict with PBB and Naked Turtle customers.

***COMMITTEE CONSENSUS: NAVTOURS WILL PROVIDE A MUCH HIGHER LEVEL OF PROPERTY MAINTENANCE AND CUSTOMER SERVICE.***

**Plattsburgh City Marina**  
**Evaluation of Responses to RFP**  
**A Minority Report 1**  
**Josh Kretser and Rick Perry**

Though we appreciate the efforts of both Plattsburgh Boat Basin and NavMarine Management in their responses to the City Marina RFP, neither proposal meets the desired outcome we feel is most beneficial to the residents of the City of Plattsburgh. The following summarizes our concerns.

- The City Marina needs to be part of a comprehensive waterfront development plan that will enhance tourism, as well as a variety of recreational opportunities for its residents.
- Development of a comprehensive waterfront plan should involve the public as well as businesses and organizations (Vision 2 Action, The Chamber of Commerce, The Development Corp, etc.); none of these parties were consulted regarding the marina plan.
- **Rick Perry**, based on extensive experience with fishing tournaments, thinks that development of the City Marina as proposed will negatively impact fishing tournaments. These events are already dependent on other facilities such as Wilcox Dock and The Peru Boat Launch. Further coordination with Wilcox Dock would not achieve a workable plan for the future success of these events.
- The City should not enter into a long-term lease for management of its marina.
- As the City plans for future waterfront use, we support controlled mooring leasing (with the procurement of grant funds) and the controlled use of its water rights.

Rachelle Armstrong  
Joshua Kretser  
Rick Perry  
Andrew Sajor

## City of Plattsburgh Marina Evaluation of Responses to RFP, Minority Report #2

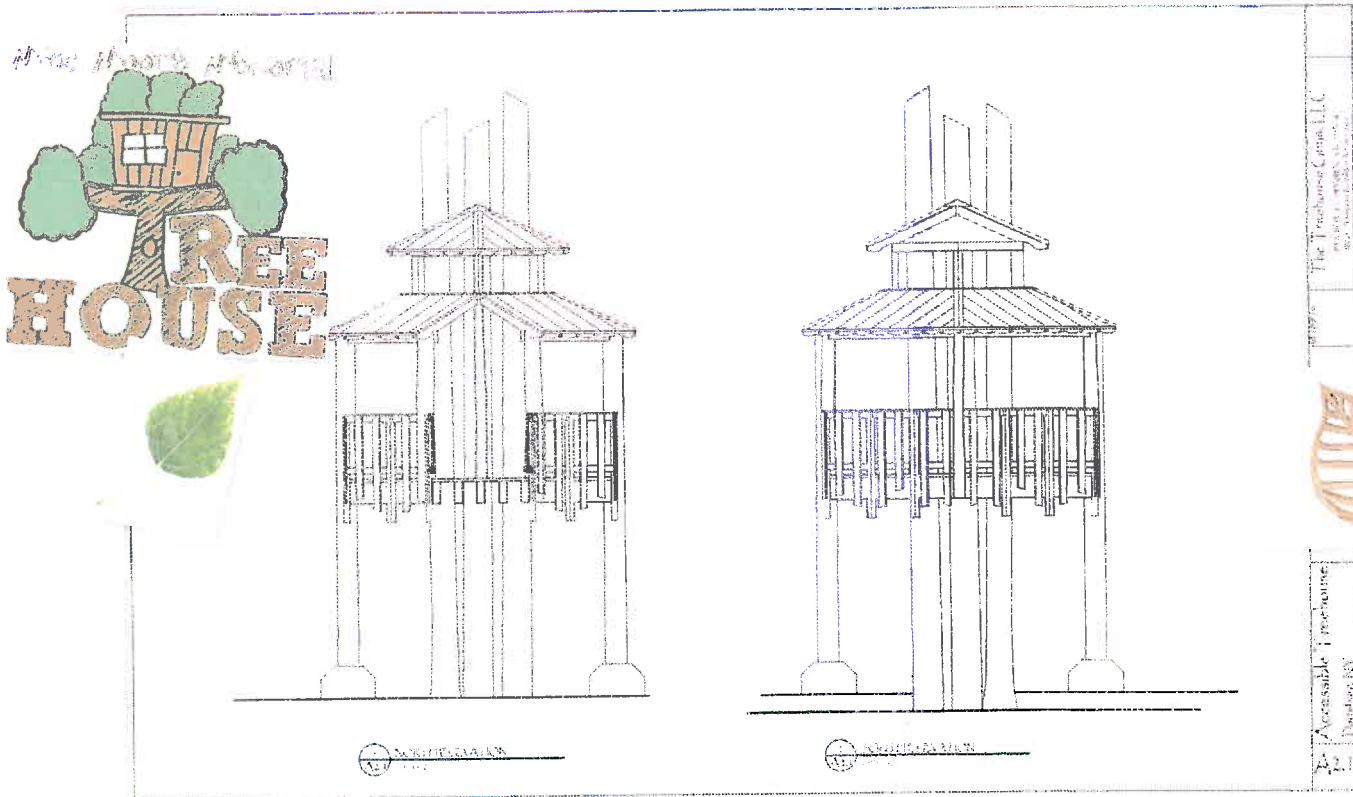
Rachelle Armstrong

I object to both proposals as currently written I will list my points of dissent. Some of them match those stated in *Minority Report 1*, but with qualifying points. I could be persuaded to enter into a limited agreement with one of the proposers for the installation of moorings (if grant money comes through), and if my points of dissent are addressed.

- “The City Marina needs to be part of a comprehensive waterfront development plan that will enhance tourism, as well as a *variety* of recreational opportunities for its residents.”
  - I think that by creating a Comprehensive Waterfront Plan first, the City might have avoided skepticism about how the City Marina would serve all of its residents. It is not enough to hear reassurances after putting in place a plan that, for the most part, services large craft. Yes, there is the persuasive idea that the large boats bring in more money for mooring, as well as the possibility of more tourist dollars, but still, many residents feel that this plan excludes their needs (particularly fishermen and small to intermediate craft boaters).
  - Andy Sajor brings up the fact that the waterfront on Dock St. Landing is best suited for large craft; indeed the existing dock was created for *The Spirit of Plattsburgh*. Andy also suggests that Wilcox Dock is better suited as a marina for small crafts, particularly since it is sheltered and boats don't have to launch into “the teeth of a fierce south wind.” The matter of planning is not insignificant when considering public opposition to the marina. Perhaps, the public needs to feel confident that such plans are possible before signing off the on marina; perhaps what we have here is a crisis of confidence on the part of a citizenry who has seen projects go awry. Better planning as well as more transparency and better public relations might have paved the way for consensus on the marina.
- Development of a comprehensive waterfront plan should involve the public as well as businesses and organizations (Vision 2 Action, The Chamber of Commerce, etc.).
  - I would add that regardless of the current marina project's fate, coordinated and comprehensive planning needs to begin as soon as possible.
- I question the following aspect of Mr. Clute's committee summary: “Both companies appear to be capable of meeting financial requirements. *The financial requirements and resources for the project will be explored in depth when bids are obtained and an operating agreement is prepared.*”
  - I have a concern regarding this point. One what basis was this conclusion drawn? Some on the Committee endorsed NavMarine as reflected in the summary. However, since the NavMarine Management has reorganized

within the last two months, I think it is reasonable for them to provide clarification regarding their financial capabilities. Though I have received verbal assurances both proposers, I would like concrete evidence. I take particular exception to the notion that financial disclosures would be required *after* the developer's selection.

- How will marina construction impact the fishing tournaments, events that bring hundreds of tourists from all over the US into our area? I think that the City will need to work very hard to work with tournament organizers to restore their faith. Their concerns were given short shrift and even mischaracterized in the original summary. Rick Perry has serious and persistent concerns, and they must be addressed prior to signing a contract with a developer. Concrete plans for accommodations that they would find acceptable are essential. Again, Andy Sajor has some ideas concerning how such a plan would be laid out. Perhaps he and Rick could work together to reach a mutually satisfying agreement.
- The City should not enter into a long-term lease for management of its marina. I believe that Mayor Calnon even suggested that a shorter -term agreement with provisions for renewal based on a set of performance requirements might be an appropriate safeguard.
- As the City plans for future waterfront use, we support controlled mooring leasing (with the procurement of grant funds) and the controlled use of its water rights.
  - I could be persuaded to enter into a limited agreement with one of the proposers for the installation of moorings (if grant money comes through), and if my points of dissention are addressed.



# Max Moore Memorial Tree House

- A Meaningful Plattsburgh Community Project

## *An Overview*

### **At a Glance**

The Max Moore Memorial Treehouse, to be built along the Saranac River Trail near the Plattsburgh Police Department headquarters, will be a universally accessible treehouse, thanks to a special ramp that will help anyone, even those with mobility issues, experience what it's like to be up in a tree.

(More new designs on Page 2)



### **Inspiration**

The treehouse is named after local pediatrician Dr. Heidi Moore's late son Max, who utilized a wheelchair and would have loved to be able to play in a treehouse if he had the chance.

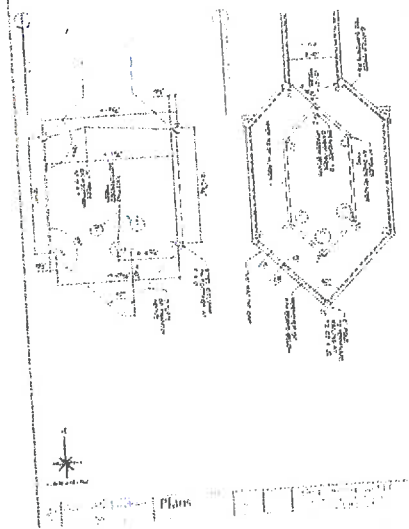
## *Something to Enjoy for Everyone*

### **Benefits**

People of all ages and abilities will enjoy this unique facility along the scenic Saranac River. The Max Moore Memorial Treehouse will add value to our community by giving everyone a safe place to play, fish, or simply relax and enjoy the view.



(Early design sketch)



## Inception

This project was initiated several years ago by Dr. Moore and the City of Plattsburgh. The city procured the first design sketches of the treehouse from The Treehouse Guys, LLC, a Vermont-based company specializing in design and construction of unique treehouse structures around the world. Two years into the planning process, Max Moore passed away.

## Carrying the Torch

In 2012, local Zumba instructors Autumn Love and Ashley Cousens had an idea for a Zumbathon fundraiser on Plattsburgh City beach. The two were inspired by the local Vision2Action movement and wanted to get involved in a local project that would increase recreation opportunities in the community. Picking up with the plans for the treehouse project seemed a natural fit. From there, more partners joined Ashley & Autumn in efforts to raise funds.

## Get Involved

### Support the Project!

Email [treehouse@saranacrivertrail.org](mailto:treehouse@saranacrivertrail.org) to get involved, or

"Like" us on Facebook:

[www.facebook.com/maxmooretreethouse](http://www.facebook.com/maxmooretreethouse)

Checks payable to, "Treehouse Project c/o United Way" mail to 45 Tom Miller Road, Plattsburgh, NY 12901.

## New Designs

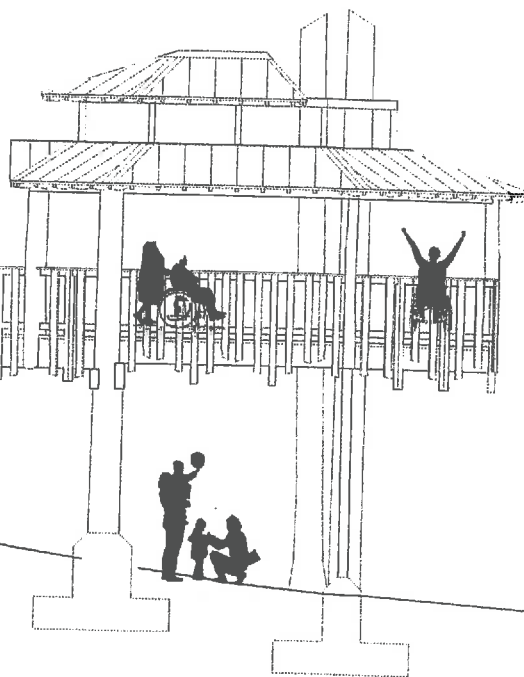
These architectural renderings have been long awaited by the Treehouse Planning Committee! Project leaders will be seeking support for labor & materials to assist in the construction, which may begin as early as 2014.



### Partners:

Sunrise Rotary  
City of Plattsburgh  
City Recreation Department  
The Advocacy & Resource Center  
Saranac River Trail Advisory Group  
United Way of the Adirondack Region  
Vision2Action

To date, more than \$25,000 has been raised toward the project!



The Treehouse Guys, LLC  
A Division of Treehouse Structures, Inc.

Accessible Treehouse  
Elevations

Accessible Treehouse  
Elevations